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CHRISTINE DOUGHERTY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE DOUGHERTY,

Plaintiff,

v.

AMCO INSURANCE COMPANY and
DOES ONE through TWENTY, Inclusive,

Defendants.

) NO. C 07-01140 MHP

) **[PROPOSED] ORDER RE:**
) **PLAINTIFF'S OBJECTION AND**
) **MOTION TO STRIKE**
) **DECLARATIONS IN SUPPORT OF**
) **MOTION FOR SUMMARY**
) **JUDGMENT, OR IN THE**
) **ALTERNATIVE, PARTIAL SUMMARY**
) **JUDGMENT, FOR FAILURE TO**
) **COMPLY WITH GENERAL ORDER**
) **NO. 45**

) Date: May 12, 2008
) Time: 2:00 p.m.
) Judge: Hon. Marilyn Hall Patel
) Dept.: 15

1 Plaintiff's Objection and Motion to Strike Declarations in Support of Motion for
2 Summary Judgement, or in the Alternative, Partial Summary Judgment for Failure to
3 Comply With General Order No. 45 came on for hearing on May 12, 2008 at 2:00 p.m.
4 in Department 15 of the above-entitled court, the Honorable Marilyn Hall Patel
5 presiding. Stephen M. Murphy appeared on behalf of Plaintiff CHRISTINE
6 DOUGHERTY. Julian J. Pardini appeared on behalf of Defendant AMCO
7 INSURANCE COMPANY. After reviewing the papers submitted in support of and in
8 opposition to the motion, and after hearing oral argument, the Court finds as follows:

9 Plaintiff's Objection and Motion to Strike Declarations in Support of Motion for
10 Summary Judgement, or in the Alternative, Partial Summary Judgment for Failure to
11 Comply With General Order No. 45 is GRANTED in its entirety.

12 Defendant filed its Motion for Summary Judgment, or in the Alternative, Partial
13 Summary Judgment electronically on March 19, 2008. Defendant's motion and all
14 supporting declarations and attachments were filed using the ECF password of
15 defendant's attorney Julian J. Pardini. The aforementioned documents were filed as
16 Docket Nos. 45-51.

17 The Court FINDS that the following documents, together with all exhibits and
18 attachments thereto, were filed without the required attestation by the filing ECF user
19 in violation of the requirements of General Order No. 45, Section X, Subsection B:

- 20 1) the Declaration of Jeffrey Mangone in Support of Defendant AMCO
21 Insurance Company Motion for Summary Judgment, or in the
22 Alternative, Partial Summary Judgment;
 - 23 2) the Declaration of Darbie Hoffman in Support of Defendant AMCO
24 Insurance Company Motion for Summary Judgment, or in the
25 Alternative, Partial Summary Judgment; and
 - 26 3) the Declaration of Renton Rolph, Esq. in Support of Defendant AMCO
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Insurance Company [sic.] Motion for Summary Judgment, or in the
Alternative, Partial Summary Judgment together with all exhibits and
attachments thereto.

The above-listed documents are hereby STRICKEN for the reasons stated
above.

IT IS SO ORDERED.

DATED: _____

HON. MARILYN HALL PATEL
Judge, United States District Court
Northern District of California